

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MICHAEL MILLER,	:	
	Plaintiff	: No. 1:24-cv-00014
	:	
v.	:	Magistrate Judge Schwab
	:	
COUNTY OF LANCASTER & THE	:	Electronically Filed Document
OFFICE OF OPEN RECORDS,		
Defendants	:	<i>Complaint Filed 01/04/2024</i>

**DEFENDANT’S MOTION FOR EXTENSION OF
TIME TO RESPOND TO THE COMPLAINT (DOC. 1)**

Defendant the Pennsylvania Office of Open Records, through counsel, hereby files this Motion for Extension of Time to Respond to the Complaint (Doc. 1), and avers as follows:

1. Plaintiff Michael Miller filed his *pro se* Complaint on January 4, 2024.
(Doc. 1.)
2. In so doing, Plaintiff, in essence, brings a declaratory judgment action and asserts Section 1983, 42 U.S.C. § 1983, claims. He also attaches one-hundred and fifty-one pages of exhibits to his Complaint. (*See gen.* Doc. 1, Doc. 1-2.)
3. Plaintiff filed his executed return of Summons on January 11, 2024.
(Doc. 6.)
4. In accordance with Rule 12(a)(1)(A)(i), Defendant’s response to the Complaint is due on or before February 1, 2024. *See* Fed. R. Civ. P. 12(a)(1)(A)(i).

5. Undersigned counsel received a referral to represent the Defendant on February 1, 2024.

6. As such, Undersigned Counsel is in need of additional time to review the Complaint, the attached exhibits, and meet with her client prior to providing a response to the Complaint.

7. Plaintiff does not concur in this Motion.

WHEREFORE, Defendant respectfully requests that this Court grant its Motion and permit it to file its responsive pleading to the Complaint on or before Monday, April 1, 2024.

Respectfully submitted,

MICHELLE A. HENRY
Attorney General

By: *s/ Mary Katherine Yarish*

MARY KATHERINE YARISH
Deputy Attorney General
Attorney ID #328843

KAREN M. ROMANO
Chief Deputy Attorney General
Civil Litigation Section

Office of Attorney General
15th Floor, Strawberry Square
Harrisburg, PA 17120
Phone: (717) 783-6315

myarish@attorneygeneral.gov

Date: February 1, 2024

***Counsel for Defendant the Pa. Office of
Open Records***

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**CERTIFICATE OF CONCURRENCE / NON-
CONCURRENCE**

I, Mary Katherine Yarish, Deputy Attorney General for the Commonwealth of Pennsylvania, Office of Attorney General, hereby certify that Undersigned Counsel reached out to Plaintiff and Co-Defense Counsel via electronic mail correspondence on February 1, 2024, seeking Plaintiff's concurrence position. Plaintiff does not concur in this Motion.

s/ Mary Katherine Yarish
MARY KATHERINE YARISH
Deputy Attorney General

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CERTIFICATE OF SERVICE

I, Mary Katherine Yarish, Deputy Attorney General for the Commonwealth of Pennsylvania, Office of Attorney General, hereby certify that on February 1, 2024, I caused to be served a true and correct copy of the foregoing document titled Defendant's Motion for Extension of Time to the following:

VIA U.S. MAIL

Michael Milller
108 N. Reading Rd.
Ste. F, 246
Ephrata, PA 17522
Pro Se Plaintiff

VIA ECF

Sarah Hyser-Staub
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
717-237-5473
sstaub@mcneeslaw.com
Counsel for Def. County of Lancaster

s/ Mary Katherine Yarish
MARY KATHERINE YARISH
Deputy Attorney General